

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9731 OF 2024

Dhula S/o Bolhu Kolpe ...Petitioner
Versus
Nana Yashwant Jarad And Ors. ...Respondents

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Mr. Amit Sale, for the Petitioner.

Ms. V.S. Nimbalkar, A.G.P for the Respondent – State.

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CORAM : AVINASH G. GHAROTE, J.
DATE : 15th JULY, 2024

PC.:

1. A delay of 34 years in challenging Mutation Entry No.942 dated 11.01.1986, by way of an appeal filed before the Sub Divisional Officer (“SDO”) was rejected by the order dated 21.10.2021 (Page-23). Appeal against his order came to be allowed by the Additional Collector by his order dated 23.01.2021 (Page- 48), by condoning the delay on the ground, that though there is delay the quantum was immaterial, considering that the Mutation Entry No.942 was incorrect (Page- 47). Further appeal against this has been rejected by the Additional Divisional Commissioner by his order dated 10.04.2024 (Page- 75). It is

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contended that inspite of there being, no sufficient cause being demonstrated, the delay has been condoned.

2. Issue notice for final disposal, returnable on 12th August 2024. Learned A.G.P waives notice for respondent Nos. 2 to 4.

3. The petitioner to serve the respondent No.1 by all modes permissible in law.

4. Since the proceedings before the learned SDO are said to be listed on 26th July 2024, the petitioner shall file an application for an adjournment, which shall be granted by the learned SDO and the matter be listed beyond 12th August, 2024.

(AVINASH G. GHAROTE, J.)